



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/729,066
Applicant(s): Brett A. WILLIAMS, Brian C. BAKER and Mark A. TURNER
For: NON-COHERENT FRESNEL DIRECTION FINDING METHOD
AND APPARATUS
Confirmation No.: 9198
Customer No.: 29937
Docket No.: 10919/26602
Filed: December 5, 2003
Group Art Unit: 3662
Examiner: Bernarr E. Gregory
Date Allowed: October 14, 2004

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

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Signature
November 18, 2004
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COMMENTS ON THE EXAMINER'S REASONS FOR ALLOWANCE

These comments relate to the Examiner's Statement of Reasons for Allowance included in the Notice of Allowability mailed on October 14, 2004, which provides for a response period ending January 14, 2005.

The Transmittal of Issue Fee is being filed concurrently herewith.

Comments begin on page 2 of this document.

COMMENTS

These comments relate to the Examiner's Statement of Reasons for Allowance included in the Notice of Allowability mailed on October 14, 2004.

Applicant appreciates the Examiner's indication of allowance for claims 1-60. It is necessary, however, to explicitly indicate the overall context of each of the independent claims. The Examiner's statement notes that the apparatus "is particularly characterized at least by the claimed "three or more radiation detectors for detecting..." and "processor for processing..." taken together and taken in context of independent claim 1." With respect to claim 1, claim 1 includes the limitation of a window system for transmitting radiation. In particular, "the radiation is incident upon a surface of the window system at a boresight angle such that an instantaneous rate of change of the Fresnel transmittance as a function of angle of incidence at the boresight angle is significantly different from zero..."

Applicants note that none of the cited references discloses or suggests the use of an angle of incidence leading to an instantaneous rate of change of Fresnel transmittance that is significantly different from zero. In other words, the apparatus is more completely characterized at least by the "window system for transmitting radiation," the "three or more radiation detectors for detecting," and the "processor for processing." Each of the remaining independent claims similarly includes the use of an angle of incidence leading to an instantaneous rate of change of Fresnel transmittance that is significantly different from zero.

Application No. 10/729,066

Comments on The Examiner's Reasons for Allowance dated November 18, 2004

Reply to Notice of Allowability of October 14, 2004

Any fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to SIDLEY AUSTIN BROWN & WOOD LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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